UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,051	06/27/2003	David Konetski	016295.1384	6910

7590   10/08/2008

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EXAMINER
ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
2455	

MAIL DATE	DELIVERY MODE
10/08/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 July 2008_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-25_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-25_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

RESPONSE TO AMENDMENT

1.   This communication is responsive to the amendment received on July 8, 2008.

Claims 1, 8 and 18 have been amended.

Claims 1-25 are pending further examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this
> title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-4, 6-9, 11, 13-21, and 23-25 are rejected under 35 U.S.C. 103(a) as

being unpatentable over **Chaddha et al.,** (referred hereinafter as Chaddha) U.S. Patent

No. **6,173,317.**

Chaddha teach a system that relates to multimedia communications. More

particularly, Chaddha teaches a system that relates to the synchronous delivery of

annotated multimedia streams over a diverse computer network.

4.   As to claim 8, Chaddha teaches a method for providing media content to a user

associated with a thin media client, comprising the steps of:

receiving from the user a request for media content, the media content requested

by the user comprising at least two instances of media content, wherein the thin media

client is operable to request digital media content and to receive status information; (col.

2, lines 38-47, client requests video/audio content and receive the requested content);

retrieving the at least two instances of media content (col. 2, lines 26-36,

video/audio and annotation streams are produced and by a capture module and an author

module and then stored in the stream server);

pre-processing the at least two instances of media content to create a combined

data stream of digital media (col. 6, lines 13-21, combining a compressed video audio

data into one stream for delivery);

transmitting the combined data stream to the thin media client, wherein the

combined data stream is operable to be rendered for display at the thin media client (col.

2, lines 62-67, render ding the stream for display on the client web browser); and

wherein rendering the combined data stream at the thin media client to provide

the media content of the data stream to the user, wherein the thin media client is not

responsible for performing any pre-processing functions related to the data stream (refer

to Fig. 9 and col. 7, line 60—col. 8, line 2, most of the processing occurs prior to the

stream being received at the web browser either at the producer or client module)

Although Chaddha teaches the claimed invention as described above it does not

explicitly recite a thin media client. However according to applicant's specification a thin

media client only perform the task of rendering a data stream provided from server and is

not associated with any pre-processing and may be a associated with or incorporated into

a display or playback device. A thin-client is an application or system that accesses a

remote service on another computer system known as a server by way of a network. Web

browsers are clients that connect to web servers and retrieve web pages for display.

According to the description provided in the applicant's disclosure and the definitions of

thin-client and web browser, one of ordinary skill in the art would be reasonable in

equating the claimed thin-media client to the Chaddha's web browser and plug-in module

illustrated on Fig. 9 and discussed in col. 7, line 60 - col. 8, line 2. The functionality of

Chaddha's web browser and browser plug-in module perform the same functionality as

the claimed thin media client specifically rendering a data stream provided from server

and is not associated with the pre-processing and may be a associated with or

incorporated into a display or playback device and therefore meet the scope of the

claimed thin media client.

5.   As to claim 9, Chaddha teaches the method for providing media content to a user

associated with a thin media client of claim 8, wherein the at least two instances of media

content comprise at least two instances of digital video (col. 2, lines 38-47).

6.   As to claim 11, Chaddha teaches the method for providing media content to a user

associated with a thin media client of claim 8, wherein the at least two instances of media

content comprise a digital video data stream having an audio component and an audio-

only data stream (col. 6, lines 13-21).

7.   As to claim 13, Chaddha teaches the method for providing media content to a user

associated with a thin media client of claim 8, wherein the step of retrieving the at least

two instances of media content comprises the step of retrieving at least one instance of

media content from the Internet (Fig. 10b, col. 2, lines 26-36 and col. 5, lines 10-28).

8.   As to claim 14, Chaddha teaches the method for providing media content to a user

associated with a thin media client of claim 8, wherein the step of retrieving the at least

two instances of media content comprises the step of retrieving at least one instance of media content from a media storage device (col. 5, lines 40-53).

9.   As to claim 15, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 8, wherein the step of retrieving the at least two instances of media content comprises the step of retrieving at least one instance of media content from a home appliance (col. 5, lines 40-53).

10.   As to claim 16, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 8, wherein the step of retrieving the at least two instances of media content comprises the step of retrieving at least one instance of media content from a video camera (col. 5, lines 40-53).

11.   As to claim 17, Chaddha teaches the method for providing media content to a user associated with a thin media client of claim 10, wherein the source of at least one instance of the two instances of digital video is a video camera (col. 5, lines 40-53).

12.   regarding claims 2 and 18, Chaddha teaches the claimed subject matter as discussed in details above. With regards to the claimed hub subject matter used in the instant invention to route the user's request and to deliver the responses to the user.   One of ordinary skill in the art will recognize that in an internet communication environment such as that of Chaddha, it is important to have a device such as a hub, router or switch that routes communication between the client and server. Therefore, Chaddha's internet communication environment meets the scope of the claimed limitation as currently presented.

13.   Claims 1-4, 6-7, 18-21 and 23-25 do not contain or define any new subject matter

than that addressed above, therefore they are rejected under the same rationale.

14.   Claims 5, 10, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable

*over **Chaddha et al.,** (referred hereinafter as Chaddha) U.S. Patent No. **6,173,317** in*

*view of **Smyth et al.,** (Hereinafter referred to as Smyth) U.S. Patent No. **7,007,098.***

Chaddha teaches the claimed invention as described invention, however Chaddha

does not explicitly teach wherein the step of pre-processing comprises the step of

combining the at least two instances of digital video into a combined data stream in

picture-in-picture format.

Smyth teaches a method of controlling video signals in a multi-participant video

conference which involves assessing the level of video signal required from each

participant to mix the desired broadcast video signals, and using the result of this

assessment to dynamically control the video output from the endpoints of the conference

participants to handle multiple video streams, the MP may also choose a mixing strategy,

where the mixing takes the form of combining the video streams from all participants into

a "picture-in-picture" image, containing reduced images of all conference participants,

and then transmitting this combined image to each endpoint, so that all participants may

be viewed from each desktop (see abstract and col. 2, lines 8-17).

It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to incorporate the teaching of Smyth into the invention of Chaddha

in order to reduce the amount of images that are displayed at a client device.

*15.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Chaddha et al.,** (referred hereinafter as Chaddha) U.S. Patent No. **6,173,317** in view of **"Official Notice".***

16.   As to claim 12, Chaddha teaches combining a digital video data stream with an audio-only stream; however Chaddha does not explicitly indicate attenuating the audio component from the digital video stream.

"Official Notice "is taken that the techniques of attenuating are well known in the art and expected in the multimedia communication environment. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the techniques of attenuating the audio component from the digital video stream in order to allow an audio portion of the stream to be easily heard over other parts of the audio stream.

Response to Arguments

17.   Applicant's arguments received on July 8, 2008 have been fully considered, however they are not persuasive. The applicant argues in substance that: w Chaddha does not teach wherein the thin media client is not responsible for performing the pre-processing functions related to the data stream and that Chaddha further does not teach wherein the thin media client is operable to request digital media content and to receive status information.

After further review of the claims and the cited prior art (Chaddha) it becomes apparent that the examiner's position and interpretation of the reference may have been misunderstood. Chaddha discloses a client computer 240 which includes a web browser

950 and a browser plug-in module 952, uses the plug-in module for interfacing the web browser with a main client module 960. But it is the client module 960 which is responsible for processing the data stream (decoding) and not the web browser and browser plug-in module.

The examiner agrees that Chaddha does not teach a thin client. In fact, the examiner stated in the 103 rejection that Chaddha "does not explicitly teach a thin media client" on page 4, line 13 of the rejection. However, as stated above, Chaddha specifies that the browser and plug-in module do not perform pre-processing of the video as stated in the question. Thus one could reasonably conclude the obviousness of a browser and plug-in module to the thin media client of the instant application.

Therefore, the examiner believes that the interpretation of the web browser and browser plug-in module equated to the claimed thin media client and not responsible for performing the claimed pre-processing is reasonable.

Furthermore, Chaddha's web browser and plug-in are able to request and receive response and status information from a server. A browser makes request for content from a server and either receives the requested content or receives an error message (status). Therefore, Chaddha's browser and plug-in module meet the scope of the claimed limitations and render the claims obvious.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Shawki S. Ismail whose telephone number is 571-272-

3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

/Shawki S Ismail/
Examiner, Art Unit 2155
September 29, 2008

/saleh najjar/
Supervisory Patent Examiner, Art Unit 2155